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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,276	04/15/2000	GLENN F. SPAULDING	010-US-002	9303
29664 7590 09/15/2009 THE LAW OFFICES OF COE F. MILES, P.C. 15150 MIDDLEBROOK DRIVE HOUSTON, TX 77058				
EXAMINER GABEL, GAILENE				
ART UNIT		PAPER NUMBER		
1641				
MAIL DATE		DELIVERY MODE		
09/15/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GLENN F. SPAULDING

Appeal No. 2009-009348
Application 09/550,276
Technology Center 1600

Mailed: September 15, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*.

ORDER DISMISSING APPEAL

On September 28, 2006, the Board of Patent Appeals and Interferences mailed a Remand to the Examiner. The Examiner responded with Supplemental Examiner Answer's of March 07, 2007 and August 10, 2007. Under the Board's regulations at 37 C.F.R. §41.50(a)(2), the Appellant had a statutory response time to the Examiner's Answers of two months to either 1) reopen prosecution, or 2)

Appeal 2009-011634
Application 10/231,502

maintain the appeal by filing a Reply Brief to the Examiner's Answer. The

Appellant has failed to exercise either of these options under 37 C.F.R.

§41.50(a)(2).

Accordingly, it is

ORDERED that the appeal filed January 24, 2005, is dismissed.

DMS/cam

THE LAW OFFICES OF COLE F. MILES, P.C.
15150 MIDDLEBROOK DRIVE
HOUSTON TX 77058